

From: Christina Stacey
To: Fraser, Jean; Wiar, Shukria
Date: 12/17/2015 10:48 AM
Subject: Fwd: RE: Permit #2697 - Irving Oil, 2282 Congress St, Portland, ME

Hi Jean,

I checked our records, and also talked with Ann, and there does not seem to be any recent examples of approving oversized gas station signs via waiver. There are some grandfathered oversized signs that we have allowed to remain.

I don't think the manner of construction (two legs vs. one) is relevant under the sign ordinance (obviously it could be for sight line issues and such). For example there is an application for a new Lexus sign at the car dealership on Riverside Ave, and it is a "slab" style sign (one tall rectangle) with the Lexus logo near the top. It is my understanding that we measure only the actual logo/lettering and not the overall size of the structure when determining the size of the sign. I think Irving's application for a "128 sf" pylon sign is a measurement the entire structure, which we would not normally do.

Getting into the size of the logos/lettering, the normal gas station sign ordinance divides pylon signs into three areas: Principal Use (i.e. "Irving") - 40 sf allowed; Auxiliary Uses (i.e. "Rusty Lantern Market") - 15 sf allowed; and Gas Prices - 24 sf allowed = total area **79 sf** allowed. The sign they are proposing is: Principal Use - 26 sf; Auxiliary Uses - 33.5 sf; and Gas Prices - 15 sf = total area **74.5 sf**. So the total sign area is actually below what we allow, they are just allotting the parts differently. I asked Ann and she said that we have actually always allowed people to allot the square footage however they want, as long as the total size is within the max allowed. Therefore, I think it is not the pylon sign area that is an issue here, but just the proposed height variance (from 18' to 22')

The other parts of their proposal that are different than the normal sign requirements are:

Canopy signs - allowed 2 signs (must be on opposing planes of the canopy), each sign 20 sf max, with a max vertical dimension of 2'. They are proposing two signs on two adjacent planes (the north and east sides), each sign 31.7 sf in size with a vertical dimension of 4'3"

Building signs - allowed one sign for each activity - 30 sf for principal use and 10 sf each "additional major activity", must not exceed a 2' vertical dimension. They are proposing two signs, both for the auxiliary use ("Rusty Lantern Market"). The front sign would be 30.25 sf with a 3'8" vertical dimension and the side sign would be 11.63 sf with a 2'1" vertical dimension.

Based on other gas stations it does not seem that there is much precedent allowing a departure from the rules, and they obviously did not provide any supporting arguments regarding the waiver criteria. I'd be happy to sit down and discuss whenever is convenient for you. Just let me know.

Thanks,
Chris

>>> Jean Fraser 12/17/2015 9:45 AM >>>

Christina and Shukria

I have been looking closely at many gas station signs in Portland and after having done so I think the proposed sign is excessively large.

Chris- I don't know if you have had time to do some research on any other really large gas station signs that we have permitted- maybe Ann would have some institutional knowledge re this- but most gas station signs are on two fairly thin legs and not so high overall.

Shukria- once I have heard back from Tom (and assuming he is OK with this from a sightline perspective) I would like to chat with you and Chris on this.

The site is subject to a CZA which states:

1. *The provisions of the Agreement, including the permitted major auto service station, restaurant and bank uses, are intended to be supplemental to the uses and requirements of the underlying I-M zone. The project must still adhere to all applicable dimensional requirements, other requirements and performance standards of the IM zone and obtain separate permits for all signage.*

My reading of this is that there is an expectation that it would adhere to the sign ordinance for IM, but since the sign ordinance does allow for waivers I am not ruling that out. The CZA is striving for a campus-like setting-- not sure how that would apply to signs.

This is a marginal call- I will chase Tom and then follow up with you both in the next day or so.

thanks
Jean

>>> Jean Fraser 12/17/2015 9:36 AM >>>
Amanda

I believe this sign is considerably larger than anything similar in Portland so we are scratching our heads a bit- I am also waiting for the traffic engineer to confirm it is OK re sightlines.

This is the waiver criteria that need to be addressed and I am not sure that there is anything in the application that addresses these points:

(iv) Waiver Criteria: An applicant for site plan review that was either denied for failure to comply with the requirements of or is seeking a waiver as part of their site plan application from Section 14-369.5 shall meet the following standards for approval:

- (a) Signs shall meet the requirements of Section 14-526 (e) 2. - Signage and Wayfinding;
- (b) The size, scale, proportions, design, materials, placement, quantity and source and intensity of illumination of any approved signage shall be designed to complement and enhance the architectural attributes of the building(s) to which they are attached or to which they are visually related. In addition, such signs shall be appropriate to the scale and character of the neighborhood in which it is located and shall be designed to suit the conditions from which it will be viewed, especially in relation to the distance, travel speed, and mode of travel of the viewing public;
- (c) The signage shall either be of special design merit or shall respond to unique circumstances or characteristics associated with the subject property;
- (d) The provisions of this subsection shall be limited to commercial uses in business or industrial zones, industrial uses or institutional uses.

So if you feel there are some factors that we should take into account in the review that relate to the criteria we must apply under this ordinance, please let me know. Also it would help if I could see a photo of this sign (or similar at the same size) located on a gas station site.

Thank you
Jean

*Jean Fraser, Planner
City of Portland
874 8728*

>>> Amanda Schultz <aschultz@prosign.net> 12/16/2015 4:31 PM >>>

Hi Jean,

I wanted to check if you need anything from me as far as the variance application.

Christina Stacey informed me that you are in process of reviewing the application and I want to make sure you have everything you need.

Thank you.

Amanda Schultz

Project Management Assistant

Pro Signs

251 Boot Road

Downingtown, PA 19335

Office: (610) 518-5881 Ext. 141

Fax: (610) 518-5244

Website: www.prosign.net

Let's Connect! LinkedIn | Amanda Schultz (<http://www.linkedin.com/in/AmandaSchultz82>)

From: Christina Stacey [mailto:cstacey@portlandmaine.gov]

Sent: Friday, December 11, 2015 1:57 PM

To: Amanda Schultz <aschultz@prosign.net>

Subject: RE: Permit #2697 - Irving Oil, 2282 Congress St, Portland, ME

Yes, Jean Fraser in Planning is in the process of reviewing it. I hesitate to predict how long it will take her but it may be a week or two. She may contact you directly if she has questions about the proposal.

>>> Amanda Schultz <aschultz@prosign.net> 12/11/2015 1:53 PM >>>

Hi Christina,

Is the permit in variance discussion as of today?

Just looking to get an updated timeline.

Do you need anything else from me?

Thank you.

Amanda Schultz

Project Management Assistant

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Fax: (610) 518-5244
Website: www.prosign.net
Let's Connect! LinkedIn | Amanda Schultz (<http://www.linkedin.com/in/AmandaSchultz82>)

From: Amanda Schultz
Sent: Wednesday, December 09, 2015 8:33 AM
To: 'Christina Stacey' <cstacey@portlandmaine.gov>
Subject: RE: Permit #2697 - Irving Oil, 2282 Congress St, Portland, ME

Hi Christina,
The total height of the canopy icons including the chevrons is 4' 2.75".
Please let me know if you have any other questions.

Thank you.

Amanda Schultz

Project Management Assistant
Pro Signs
251 Boot Road
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Website: www.prosign.net
Let's Connect! LinkedIn | Amanda Schultz (<http://www.linkedin.com/in/AmandaSchultz82>)

From: Christina Stacey [<mailto:cstacey@portlandmaine.gov>]
Sent: Tuesday, December 08, 2015 4:33 PM
To: Amanda Schultz <aschultz@prosign.net>
Subject: RE: Permit #2697 - Irving Oil, 2282 Congress St, Portland, ME

Hi Amanda,

Thank you for sending. I will be working with Jean Fraser in the Planning Division on reviewing this waiver appeal. I had a question - do you have the vertical dimension of the Irving canopy signs including chevrons? I ask because the normal maximum vertical dimension for canopy signs is 2', so if these are taller then that is another variance waiver.

Thanks,
Chris

>>> Amanda Schultz <aschultz@prosign.net> 12/7/2015 10:19 AM >>>

Christina,
Please see the revised sign permit application. The other one did not have a signature.

Thank you.

Amanda Schultz

Project Management Assistant

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Let's Connect! LinkedIn | Amanda Schultz (<http://www.linkedin.com/in/AmandaSchultz82>)

From: Amanda Schultz

Sent: Monday, December 07, 2015 10:22 AM

To: 'Christina Stacey' <cstacey@portlandmaine.gov>

Subject: RE: Permit #2697 - Irving Oil, 2282 Congress St, Portland, ME

Hi Christina,

Please find the attached documents:

- Revised permit drawings on a separate PDF file
- Building elevation drawing
- Revised appeal letter
- Revised Sign Permit application (we are requesting a lower square footage than the previous application)

Please advise if you need anything else from me.

Thank you.

Amanda Schultz

Project Management Assistant

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Fax: (610) 518-5244

Website: www.prosign.net

Let's Connect! LinkedIn | Amanda Schultz (<http://www.linkedin.com/in/AmandaSchultz82>)

From: Amanda Schultz

Sent: Friday, December 04, 2015 2:35 PM

To: 'Christina Stacey' <cstacey@portlandmaine.gov>

Subject: RE: Permit #2697 - Irving Oil, 2282 Congress St, Portland, ME

Hi Christina,

Thank you for your reply.

The variance check for \$75.00 was sent out today.

I am still waiting for revised drawings to send to you and I will revise the appeal letter to explain how this meets the Sign Waiver Criteria per your suggestion.

Thank you.

Amanda Schultz

Project Management Assistant

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Website: www.prosign.net

Let's Connect! LinkedIn | Amanda Schultz (<http://www.linkedin.com/in/AmandaSchultz82>)

From: Christina Stacey [<mailto:cstacey@portlandmaine.gov>]

Sent: Wednesday, December 02, 2015 10:56 AM

To: Amanda Schultz <aschultz@prosign.net>

Subject: RE: Permit #2697 - Irving Oil, 2282 Congress St, Portland, ME

Hi Amanda,

Sorry, I must have forgotten to send the invoice before. Please find it attached.

In your revised drawings please be sure that you include building elevations for both the front and right. If you are able to create a rendering/mock-up of what the view from the street will look like, it would be

helpful. Also, would you submit each page of the new plans as a separate PDF file?

As far as the appeal, this is handled by our Planning Division and in my experience it can take them several weeks to render a decision, and there is no guarantee it will be approved. Their decision is based on whether the proposal meets the sign waiver criteria (see attached document - Section 8(a)(iv) which is on pages 728-729). It does not appear that you've submitted any specific information on this, so I would recommend creating a letter explaining how you believe this proposal meets these criteria, point by point.

Please let me know if you have other questions, otherwise I will be on the lookout for your updated plans.

Yours,
Chris

>>> Amanda Schultz <aschultz@prosign.net> 12/2/2015 10:28 AM >>>

Hi Christina,

Please see answers below in red:

1) A sign waiver appeal requires a fee of \$75. Attached please find an invoice for that fee. It can be remitted either by mail or electronically by contacting buildinginspections@portlandmaine.gov or 207-874-8703. – I didn't see an invoice attached. Can you please resend?

2) What is the proposed height of the canopy logos, including the top & bottom chevrons? – The proposed height of the canopy icons with the top and bottom chevrons is 31.72 sq. ft. We will only have (2) now instead of (3).

3) Is it correct that the store building will only have the single "Rusty Lantern" sign with a total size of 9 sf? – The building will have a front sign of 30 sq. ft. and a right side sign of 10 sq. ft.

I have our design department revising the drawings that I will send to you.

Can you please advise once you receive the fee for the appeal when the permit will be approved?

Thank you.

Sincerely,

Amanda Schultz

Project Management Assistant

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Fax: (610) 518-5244

Website: www.prosign.net

Let's Connect! LinkedIn | Amanda Schultz (<http://www.linkedin.com/in/AmandaSchultz82>)

From: Christina Stacey [mailto:cstacey@portlandmaine.gov]
Sent: Monday, November 30, 2015 11:51 AM
To: Amanda Schultz <aschultz@prosign.net>
Subject: Permit #2697 - Irving Oil, 2282 Congress St, Portland, ME

Hi Amanda,

I am in the process of reviewing your submitted sign permit application for the Irving Station at the above-referenced address. I had a few questions/requests as follows:

- 1) A sign waiver appeal requires a fee of \$75. Attached please find an invoice for that fee. It can be remitted either by mail or electronically by contacting buildinginspections@portlandmaine.gov or 207-874-8703.
- 2) What is the proposed height of the canopy logos, including the top & bottom chevrons?
- 3) Is it correct that the store building will only have the single "Rusty Lantern" sign with a total size of 9 sf?

I think that is all for now. The sign waiver request will be decided by our Planning division so if they have additional questions we will let you know.

Thanks,
Chris

Christina Stacey
Zoning Specialist - Inspections Division
City of Portland
389 Congress St.
Portland, ME 04101

(207) 874-8695

cstacey@portlandmaine.gov

2/2/21